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Application No: GB 0204596.1
 Claims searched: 1-24

Examiner: Darren Handley
 Date of search: 29 August 2002

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Patents Act 1977
Search Report under Section 17

Databases searched:

UK Patent Office collections, including GB, EP, WO & US patent specifications, in:

UK Cl (Ed.T):

Int Cl (Ed.7): C07C 69/74; C07D 493/08

Other: Online: WPI, EPODOC, JAPIO, CAS-ONLINE

Documents considered to be relevant:

Category	Identity of document and relevant passage	Relevant to claims
X	WO 99/02526 A1 (ORGANIX) - see claim 1, figures 3-7 and table 2, page 21	1-17 at least
X	US 5770180 A (MADRAS) - see claim 1, figures 6 & 7, column 12, line 26- column 14, line 22 and table 1, column 17	1-9, 16-17 at least
X	(MADRAS) - Synapse (1996), volume 24, pages 340-348, in particular figures 1 & 2 and table 1, page 342	1-9, 11, 16-17 at least
X	(GOULET) - Synapse (2001), volume 42, pages 129-140, in particular figure 1, page 131 and table II, page 136	1-17 at least
X	(MELTZER) - Journal of Medicinal Chemistry (2000), volume 43, number 16, pages 2982-2991, in particular scheme 1, page 2983 and table 2, page 2985.	1-6, 9 at least
X	(MELTZER) - Journal of Medicinal Chemistry (1997), volume 40, number 17, pages 2661-2673, in particular scheme 1, page 2662 and table 2, page 2665.	1-9, 11, 16-17 at least

X	Document indicating lack of novelty or inventive step	A	Document indicating technological background and/or state of the art.
Y	Document indicating lack of inventive step if combined with one or more other documents of same category.	P	Document published on or after the declared priority date but before the filing date of this invention.
&	Member of the same patent family	E	Patent document published on or after, but with priority date earlier than, the filing date of this application.



Your ref: P33633GB/KVC
Application No: GB 0204596.1
Applicant: B. Madras and P. Meltzer
Latest date for reply: 13 October 2003

Examiner: Darren Handley
Tel: 01633 814313
Date of report: 30 August 2002

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Patents Act 1977 Combined Search and Examination Report under Sections 17 & 18(3)

Unallowable claims under Section 4(2)

1. Claims 18-24 are considered to be directed towards methods of treatment and as such are not allowable.

Novelty

2. The invention as defined in claims 1-17 at least is not new because it has already been disclosed in the following documents:

WO 99/02526 A1 (ORGANIX) - see claim 1, figures 3-7 and table 2, page 21 - relevant to claims 1-17 at least
US 5770180 A (MADRAS) - see claim 1, figures 6 & 7, column 12, line 26- column 14, line 22 and table 1, column 17 - relevant to claims 1-9, 16-17 at least
(MADRAS) - Synapse (1996), volume 24, pages 340-348, in particular figures 1 & 2 and table 1, page 342 - relevant to claims 1-9, 11, 16-17 at least
(GOULET) - Synapse (2001), volume 42, pages 129-140, in particular figure 1, page 131 and table II, page 136 - relevant to claims 1-17 at least
(MELTZER) - Journal of Medicinal Chemistry (2000), volume 43, number 16, pages 2982-2991, in particular scheme 1, page 2983 and table 2, page 2985 - relevant to claims 1-6, 9 at least
(MELTZER) - Journal of Medicinal Chemistry (1997), volume 40, number 17, pages 2661-2673, in particular scheme 1, page 2662 and table 2, page 2665 - relevant to claims 1-9, 11, 16-17 at least

3. The above documents all disclose non-amine inhibitors of monoamine transporters which are either 2-carbomethoxy-3-aryl- 8-oxa or 8-carpa bicyclo [3.2.1] octanes/octenes, and appropriate selectivity data.

4. It should also be noted that if claims 18-24 were amended such that they were in an allowable form, then they too would most likely be anticipated by the above stated documents.

Clarity

5. It is noted that claims 16 and 17 specify that the composition must comprise a therapeutically effective amount of a pharmaceutically acceptable carrier and an effective amount of a specified compound. The terms "effective amount" and "therapeutically



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[Examination Report contd.]

effective amount" are considered to be indeterminate in scope and therefore cast doubt on the scope of the invention and should therefore be removed. Furthermore it is apparent that you may not have intended to claim a "therapeutically effective" "pharmaceutically acceptable carrier" as not only is this an oxymoron but there is no disclosure in the description supporting such a carrier.

Consistency

6. The description should be made consistent with any amendments made to the claims in order to meet the above objections.